

**§2091.2 Segregation and opening resulting from publication of a Notice of Realty Action.**

**§2091.2-1 Segregation.**

The publication of a Notice of Realty Action in the FEDERAL REGISTER segregates lands that are available for disposal under:

(a) The Recreation and Public Purposes Act, as amended (43 U.S.C. 869-4), for a period of 18 months (See part 2740 and subpart 2912);

(b) The sales provisions of section 203 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1713) for a period of 270 days (See part 2710).

[52 FR 12175, Apr. 15, 1987, as amended at 58 FR 60917, Nov. 18, 1993]

**§2091.2-2 Opening.**

(a) The segregative effect of a Notice of Realty Action automatically terminates either:

(1) At the end of the periods set out in §2091.2-1 of this title (See part 2740); or

(2) As of the date specified in an opening order published in the FEDERAL REGISTER; or

(3) Upon issuance of a patent or other document of conveyance; whichever occurs first.

(b) Mineral interests reserved by the United States in connection with the conveyance of public lands under the Recreation and Public Purposes Act or section 203 of the Federal Land Policy and Management Act, shall remain segregated from the mining laws pending the issuance of such regulations as the Secretary may prescribe.

[52 FR 12175, Apr. 15, 1987, as amended at 58 FR 60917, Nov. 18, 1993]

**§2091.3 Segregation and opening resulting from a proposal or application.**

**§2091.3-1 Segregation.**

(a) If a proposal is made to exchange public lands administered by the Bureau of Land Management or lands reserved from the public domain for National Forest System purposes, such lands may be segregated by a notation on the public land records for a period not to exceed 5 years from the date of

notation (See 43 CFR 2201.1-2 and 36 CFR 254.6).

(b) The filing of an application for lands for selection by a State (exclusive of Alaska) segregates the lands included in the application for a period of 2 years from the date the application is filed. (See subparts 2621 and 2622)

(c) The filing of an application and publication of the notice of the filing of an application in the FEDERAL REGISTER for the purchase of Federally-owned mineral interests under section 209 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1719) segregates the lands for a period of 2 years from the date of the publication of the notice of filing of the application with the authorized officer. (See part 2720)

(d) The filing of an application for an airport lease under the Act of May 24, 1928, as amended (49 U.S.C. Appendix 211-213), or the filing of a request for an airport conveyance under the Airport and Airway Improvement Act of 1982 (49 U.S.C. 2215), segregates the lands as of the date of filing with the authorized officer. (See part 2640 and subpart 2911)

[52 FR 12175, Apr. 15, 1987; 52 FR 13563, Apr. 23, 1987, as amended at 58 FR 60917, Nov. 18, 1993]

**§2091.3-2 Opening.**

(a) If a proposal or an application described in §2091.3-1 of this part is not denied, modified, or otherwise terminated prior to the end of the segregative periods set out in §2091.3-1 of this part, the segregative effect of the proposal or application automatically terminates upon the occurrence of either of the following events, whichever occurs first:

(1) Issuance of a patent or other document of conveyance to the affected lands; or

(2) The expiration of the applicable segregation period set out in §2091.3-1 of this part.

(b) If the proposal or application described in §2091.3-1 of this part is denied, modified, or otherwise terminated prior to the end of the segregation periods, the lands shall be opened promptly by publication in the FEDERAL REGISTER of an opening order specifying the date and time of opening.